

**UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

SHANNON LASHEA PORTER,)	
)	
Petitioner,)	
)	
v.)	Case No. CIV-25-101-G
)	
STATE OF OKLAHOMA et al.,)	
)	
Respondents.)	

ORDER

On January 22, 2025, Petitioner Shannon Lashea Porter, a state inmate appearing pro se, filed this action seeking federal habeas corpus relief pursuant to 28 U.S.C. § 2241. *See* Pet. (Doc. No. 1). In accordance with 28 U.S.C. § 636(b)(1), the matter was referred to Magistrate Judge Suzanne Mitchell for initial proceedings.

On February 3, 2025, Judge Mitchell issued a Report and Recommendation (Doc. No. 6), in which she recommended dismissal of the pleading as moot due to Petitioner no longer being in custody at the Oklahoma County Detention Center. *See id.* at 4-6; R. 1(b), 4, R. Governing § 2254 Cases in U.S. Dist. Cts. In the Report and Recommendation, Judge Mitchell advised Petitioner of her right to object to the Report and Recommendation by February 24, 2025. Judge Mitchell also advised that a failure to timely object would constitute a waiver of the right to appellate review of the factual findings and legal conclusions contained in the Report and Recommendation.

As of this date, Petitioner has not submitted an objection to the Report and

Recommendation or sought leave for additional time to do so.¹

CONCLUSION


Accordingly, the Report and Recommendation (Doc. No. 6) is ADOPTED in its entirety. The Petition for Writ of Habeas Corpus (Doc. No. 1) is DISMISSED without prejudice. A separate judgment shall be entered.

Rules 1(b) and 11(a) of the Rules Governing Section 2254 Cases in the United States District Courts require the Court to issue or deny a certificate of appealability when it enters a final order adverse to a petitioner. A certificate of appealability may issue only upon “a substantial showing of the denial of a constitutional right.” 28 U.S.C. § 2253(c)(2). “When the district court denies a habeas petition on procedural grounds without reaching the prisoner’s underlying constitutional claim, a COA should issue when the prisoner shows, at least, that jurists of reason would find it debatable whether the petition states a valid claim of the denial of a constitutional right and that jurists of reason would find it debatable whether the district court was correct in its procedural ruling.” *Slack v. McDaniel*, 529 U.S. 473, 484 (2000).

Upon review, the Court concludes that the requisite standard is not met in this case. Thus, a certificate of appealability is DENIED.

¹ The Report and Recommendation was mailed to Petitioner at her address of record and returned as undeliverable. *See* Doc. No. 7. Petitioner has not updated her address with the Court as required by Local Civil Rule 5.4.

IT IS SO ORDERED this 4th day of March, 2025.



CHARLES B. GOODWIN
United States District Judge